



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUG 30 1999

Angela M. "Bay" Buchanan  
Treasurer, Buchanan Compliance Fund '92  
6862 Elm Street, Suite 210  
McLean, VA 22101

RE: MUR 4918

Dear Ms. Buchanan:

On August 17, 1999, the Federal Election Commission found reason to believe that the Buchanan Compliance Fund '92, and you as treasurer, violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and close the file. The First General Counsel's Report, including the Factual and Legal Analysis which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that funds used to pay civil penalties from civil penalty accounts shall not be deemed contributions or expenditures. 11 C.F.R. § 9034.4(b)(4). However, because you made disbursements from your civil penalty account for legal fees and expenses other than civil penalties, the funds that were placed in the account are contributions, and thus subject to the contribution and expenditure limitations. *Id.* It appears that the Buchanan Compliance Fund '92 received contributions in excess of \$1,000 in violation of 2 U.S.C. § 441a(f). You should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Jamila Wyatt, the attorney assigned to this matter at (202)694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Thomas", written in a cursive style.

Scott Thomas  
Chairman

Enclosure

cc: Patrick Buchanan

99.04.394.0203